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vated R. Co., 125 N. Y. 164. Access is subject to the public right to make improvements for navigation. *Home for Aged Women v. Commonwealth*, 202 Mass. 422. Unless the rule that there is no right of access is limited by the principal case, it is hard to see how the wharf-owner under the Washington theory is much better off than when he owned only the upland. His land and wharf still abut on land to which the state has title.

WITNESSES — PRIVILEGE AGAINST SELF-INCRIMINATION — APPLICATION TO COMPULSORY STATEMENTS OUT OF COURT. — The defendant was indicted under a statute providing that an operator of an automobile, who does damage to persons or property, must report to a police officer his name, address, and license number, and the fact of the injury. The New York Constitution provides that no one shall "be compelled in any criminal case to be a witness against himself." *Held*, that the statute is unconstitutional. *People v. Rosenheimer*, 44 N. Y. L. J. 1629 (Ct. Gen. Sess., N. Y. County, Jan. 1911). See NOTES. p. 570.

WITNESSES — PRIVILEGE AGAINST SELF-INCRIMINATION — RIGHT OF WITNESS TO REFUSE ATTENDANCE. — A commissioner was appointed to investigate charges against a borough president. On investigating the same charges the grand jury returned an indictment against the petitioner, who was later subpoenaed to appear before the commissioner to testify respecting the same matters as those charged in the indictment. *Held*, that a motion to vacate the subpoena should be granted. *Matter of Phillips*, 70 N. Y. Misc. 8 (Sup. Ct.).

A witness is not ordinarily exempt from being sworn, because incriminating questions are likely to be asked him. *Eckstein's Petition*, 148 Pa. St. 509. But it is useless to make him attend when he may refuse, by reason of his privilege, to disclose any of the matters for which he was called. It would, furthermore, expose him to a needless inference because of his refusal to testify from the stand. If, therefore, his examination is to relate solely to matters tending to incriminate, an order requiring his appearance will be vacated. *Matter of Attorney-General*, 21 N. Y. Misc. 101. But if the court is to grant this order it must be certain that every material question to be asked is within the privilege. *Skinner v. Steele*, 88 Hun (N. Y.) 307. The granting or refusal of the order should be at the discretion of the court.

BOOK REVIEWS.

THE CONSTITUTIONAL LAW OF THE UNITED STATES. By Westel Woodbury Willoughby. New York: Baker, Voorhis and Company. 1910. In two volumes. pp. lxxxv, xxx, 1390.

This work is based upon lectures delivered to graduate students in political science at Johns Hopkins University. As it was not prepared for the purely technical purposes of lawyers, it adds to the ordinary topics many which have heretofore had too scanty treatment, for example, "the maintenance of federal authority by *habeas corpus* to state authorities," "the federal control of the form of state government," "full faith and credit clause," "the comity clause," "compacts between the states and between the United States and the states," "expatriation," "the legal status of Indians," "the power of the United States to acquire territory," "the extent of the power of Congress to govern the territories," "military and presidential government of acquired territory," "the distinction between incorporated and unincorporated territories," "citizenship in the territories," "international agreements which do not require the approval of the Senate," "the process of legislation as constitutionally determined," "political questions," "the suability of states," "impeachment,"